

From: Joe Nebel
To: 'microsoft.atr(a)usdoj.gov'
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Subject: Microsoft Settlement

Hello,

I am strongly opposed to the current Microsoft settlement.

In th past, Microsoft has used its power of monopoly to extend & embrace new technologies. This is not my opinion, its a finding of fact in US courts. Also, Microsoft has made public comments that they intend to continue this practice in the future. And why not? It will make them a lot of money. But the customer will suffer for two reasons, a lack of competition and a lack new technologies.

Competitors are already afraid to develop competing products to MS applications like MS Office and MS Exchange because Microsoft has used their control of the OS to integrate their products better than any competitor. Many of these competitors have quit and their is little financing for any new competitor. Without competition, what will pressure MS to keep their prices and features 'competitive'?

Advancement of technologies will also suffer. Anyone financing any new technology (in a startup or an established company) must contend with the possibility (probabilty) that MS can "extend and embrace" any technology that they deem profitable and that MS will use it OS to do it. This has created a very high barrier of entry into the market.

I believe MS must publish all of its APIs and file formats for its OS and applications. It must also freely license the use of this API. Unless this is done, I believe MS will eventually become the only profitable desktop software company, and maybe the only server software company. I'm sure thats great for MS, but its bad for the consumer.

John Nobel